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FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.

★ JAN 27 2005 ★

BROOKLYN OFFICE

January 24, 2005

Honorable Frederic Block
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Collins v. Lippman, et. al.
04 CV 3215 (FB)(LB)

Dear Judge Block:

I write to respectfully request that the court accept my thirty-eight (38) page memorandum of law opposing non-party the New York City Department of Probation's ("NYCDOP") January 10, 2005 motion to quash my subpoena duces tecum.

My memorandum of law actually addresses two distinct motions: (1) the NYCDOP's motion to quash my subpoena, and (2) defendants' January 12, 2005 request to stay discovery pending the court's resolution of its December 7, 2004 motion to dismiss. Because I was required to address both motions, my memorandum exceeded the twenty-five page limit on memorandums of law. Considered separately, however, each Point comes within the twenty-five page limit: Point I addressing the NYCDOP's motion to quash is twenty-three pages and Point II addressing defendants' request to stay is fifteen pages.

The memorandum is not redundant and considering my pro se status, I respectfully request that the court accept the memorandum, submitted under separate cover, for filing.

Respectfully,

Jabbar Collins

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S/LB
Ordered: Lois Bl
U.S. Magistrate

February 7, 2005 27

By endorsement dated January 21, 2005 the Court quashed the two subpoenas plaintiff served and stayed all discovery. Plaintiff was granted an extension of time by Judge Block, until 2/25/05, to oppose defendants' motion to dismiss. Therefore, his instant request is denied as moot. He should be addressing defendants' motion to dismiss,

not motions that have already been decided. Plaintiff is aware of the deadline

for his opposition as acknowledged in his letter dated January 27, 2005.

Honorable Frederic Block
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